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Attorneys for Defendants

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff,

Plaintiff,

v.

BANCO GENERAL, S.A., and BG VALORES,
S.A., f/k/a WALL STREET SECURITIES,

Defendants.

Adv. Pro. No. 12-01048 (CGM)

DEFENDANTS' NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, the Declaration of Joshua E. Abraham dated as of the date hereof and the exhibits thereto, and all prior pleadings and proceedings herein, defendants Banco General, S.A. and BG Valores, S.A., f/k/a Wall Street Securities, S.A. will move this Court for an order dismissing the Complaint filed by Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, made applicable here by Rule 7012 of the Federal Rules of Bankruptcy Procedure.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Stipulation and Order, entered on August 25, 2022, all papers responsive to defendant's motion to dismiss the Complaint shall be served and filed no later than January 20, 2023, and all reply papers in further support of the motion shall be served and filed no later than February 20, 2023.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 7012(b) of the Federal Rules of Bankruptcy Procedure, defendants do not consent to the entry of final orders or judgment by this Court.

Dated: New York, New York
November 7, 2022

Respectfully submitted,

/s/ Joshua E. Abraham

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